

**February 24, 2005 Minutes of  
Bigfork Land Use Advisory Committee**

Members Present: Scott Hollinger, Acting Chairman, John Bourquin, Bob Keenan, Jack Paulson, Clarice Ryan

Meeting was called to order by Vice-Chairman Hollinger at 4:05 p.m.

Discussion was held on what the policy was of abstention from voting other than based on conflict of interest. This was based on a vote held at last month's meeting. Jack Paulson stated that he had abstained due to conflict of interest. Bob Keenan questioned the reason Phil Hanson had abstained. There was no further discussion on the subject.

Pat Wagner requested that the January minutes be changed to reflect the fact that Bob Keenan had left after the Mill Creek vote. Keenan agreed, stating that he left at 6:05 p.m. Clarice Ryan moved that the minutes be accepted as corrected. The minutes were approved as corrected.

Scott Hollinger requested the minutes be e-mailed out in a format acceptable to being received by computers of the committee members.

**Agenda Item 1: Felt/Qualls Conditional Use Permit**

Staff reported the permit is for a day care center and upholstery shop at 147 Sylvan Drive, which is zoned R-1. Staff reported that the site complied with the only exception being the sewer. There were 12 conditions to the permit.

Carol Venable questioned this permit being issued in an R-1 zone, the fact that the septic was inadequate, the fact that the businesses were already in operation and noted that adjoining owners could not be notified due to being out of town.

Chad Felt stated that he had gone to the Flathead County Planning Board before beginning construction and had been told by "Tim" to go ahead, stating he only needed electrical and septic permits.

John Bourquin questioned the traffic stating he believed the daily traffic exceeded the maximum number allowed. He also asked that the septic be okayed and stated that a 6 foot fence was a necessity.

Clarice Ryan asked for the shop uses and if the specifications were met regarding the frontage on Sylvan Drive. She was assured by Felt that he was the sole proprietor. Rhonda Qualls stated that the permit for the day care was for 5 days per week during the school year from 8 a.m. to 6 p.m.

Jack Paulson commented that he felt it was okay to grant the permit due to the fact that since there was so much noise it was not good for a residential area. He also stated that it was good that the egress had been abandoned to Highway 35.

Staff stated that it was projected only 1 car would be there at any given time with a maximum of 8 cars per day. It was noted that small, home owner occupied businesses are needed.

Scott Hollinger stated that this was productive land use and also, the best land use.

Bob Keenan questioned if preschool licensing was the same as day care. R Qualls stated that licensing was the same.

Clarice Ryan stated that this was a good area for Felt and Qualls to provide for themselves.

John Bourquin stated that the permit was requested after the fact that the building had been constructed and noted ignorance of the law was not an excuse.

Jack Paulson stated that nobody had helped him on his dock, and made further comments on permits. He then made a motion that the conditional use permit be granted with the 12 conditions, noting that the conditions had not been seed by BLUAC. The motion was seconded by Clarice Ryan.

Discussion was then held. Bob Keenan noted that the process was troubling and had been broken since the businesses were already in operation. Staff stated that requests, if deemed to be permitted as okay,

did not have to be written. The conditional use permit then passed by a vote of 3-2. Voting for: Hollinger, Paulson, Ryan. Voting against Bourquin, Keenan.

**Agenda Item 2:** Preliminary Plat approval Ponderosa Boat Club (previously Harbor Springs).

Staff reported this was a PUD application for 73 units on 27.6 acres zoned R-2 on Holt Drive. Staff stated that PUD is a zone which is used to provide flexibility. 4.5 acres are to be in parks and preserved open space. There are 2.7 units per acre as compared to 3 units per acre in the Mill Creek development.

Mike Frasier gave a presentation stating that 7 acres of the project would be in common and conservation areas. There is to be a mix of large homes on a man-made lake and row houses with garages in back representing a neoclassic neighborhood.

Clarice Ryan questioned the ponderosa trees. Frasier stated that there would be 13,000 sq. ft. lots in the back.

Reto Barrington gave an overview of the project, stating that he planned to have all infrastructure in place before developing lots.

Elna Darrow questioned if there were to be changes in naming the roads and if all lots would be developed at one time or in sections.

In comments from the audience, Brett Thuma gave a presentation requesting that the ponderosa tree area be more protected, not only for the trees but for the wildlife habitat and native plants.

Carol Venable questioned the size of so many lots on so few acres, the fact that a man-made lake was being made and the fact that there was already a large number of homes on the market. She stated that she believed it would become another summertime bedroom community in Anytown, U.S.A. and that it had the appearance of a big city suburb.

Tony Sagami commented that more density was needed for affordable housing for minorities and young people. He stated that Chris Moritz had done a tasteful job with the exception of the fact that he wanted a walking lane on Chapman Hill Road for his children to get to the school bus. He also asked if it would have a negative impact if children played in the ponderosa tree area. Brett Thuma said that would depend on different factors.

Craig Wagner asked about the cost of the houses and staff said the question would be referred to the applicant's realty company.

During the board discussion Reto Barrington stated he was still working on the street names. He gave a cost estimate for the row houses at \$60K for the land and \$135/sq. ft. approximating \$275K total. He stated the market would determine the building phases. He stated that he had only 15 acres and could not give up 7 ½ acres for conservation of the trees. He stated he planned to set up something with the home owners to provide for the tree preservation.

BLUAC adjourned for a 10-minute break and restarted with staff rebuttal stating that letters had been sent to the Fish, Wildlife and Parks and to the Fish and Wildlife Service and no comments had been received regarding the ponderosa pine tree area.

John Bourquin questioned whether the homes would be marketed in phases with different product types. Reto Barrington stated that 2 types would be on the market at the same time. Bourquin also asked if left-hand turn lanes would be provided for west to east traffic on Holt Drive. Per the county road superintendent, the staff said this was not warranted from studies which had been made and that the county had no impact fees in place. Bourquin asked who would cover the back alley garbage in the row houses. Barrington said that the homeowner association would cover those rules. Bourquin questioned the boat storage area east of the post office. Chris Moritz stated that there would be a 10-foot planting strip to be covered with a black vinyl chain link fence. Bourquin also questioned the school capacity and was assured that the school superintendent said that it was okay.

Jack Paulson said it was a good project.

Clarice Ryan stated she believed private owners could do a better job of managing the ponderosa tree area than could be done by the public. She wanted to know when the homeowners association would

start and Reto Barrington said when enough homes were sold it would be turned over to the homeowners. In the meantime he would be in charge of it.

Scott Hollinger commented that there was a walking path thru the development for children to walk. He stated this project was good balancing between affordability versus sprawl. He commented that there was very little available on the market and the market would determine the length of time needed for developing this project.

Bob Keenan moved to approve the application. It was seconded by Jack Paulson. Under discussion, John Bourquin again stated he would like to see the left-hand turn onto Chapman Hill Road addressed. The motion was voted on and passed unanimously. A motion was then brought up regarding the Ponderosa Boat Club being a subdivision. Bob Keenan moved and Jack Paulson seconded this motion which also passed unanimously. The Ponderosa Boat Club will be discussed at the Flathead County Planning Board meeting on March 9<sup>th</sup>.

Agenda Item 3: was eliminated from the agenda.

Discussion was held regarding the survey being completed by the BLUAC Steering Committee. BLUAC members stated that they wanted to see the final version of the survey. Jack Paulson said he questioned the validity and reliability of the survey, noting he had not received enough surveys to complete when the survey was sent out in 1996. Carol Venable said that the BLUAC had received copies of the survey last fall for them to respond to with any ideas. She further stated that the surveys were being mailed out with only 1 survey per household. She stated that the surveys were being mailed to all registered voters and all land owners within the Bigfork school districts. Discussion between them continued. Jack Paulson was not happy with her response but Clarice Ryan volunteered to go through the survey with him. Bob Keenan and Scott Hollinger stated that the survey should only go to Flathead County residents. Carol Venable stated that while she lived in Lake County, 60% of her taxes went to Bigfork schools and she felt entitled to be a part of the survey.

Tony Sagami stated that the BLUAC Steering Committee was a forum for political agendas saying the first item on the agenda at their last meeting was the Kootenai Lodge. Carol Venable then stated that he had not even attended this Steering Committee meeting and a discussion between them ensued. Scott Hollinger informed them that they were out of order.

Bob Keenan stated that the only relationship BLUAC had with the Steering Committee was for the survey and that they were free to discuss whatever they wanted. Jack Paulson again stated his concern with the validity of the survey. Clarice Ryan said that after the survey is finished, the Steering Committee could become a focus group for any number of issues of interest to the citizens of Bigfork. Carol Venable stated that she would get a current copy of the survey to each BLUAC member.

Discussion was held on proper notification for BLUAC to hold a special meeting to vote on the survey. Scott Hollinger was receptive to holding a special public BLUAC meeting to approve or disapprove the final version of the survey. Without a special BLUAC meeting the approval or disapproval would not happen until the last Thursday of March. The Steering Committee wants to make a March 15<sup>th</sup> mail-out deadline with an easy-to-remember deadline of April 15<sup>th</sup>. Bob Keenan stated that there had to be a 3-day public notice of any special meeting. No final decision was made at the time.

Meeting was adjourned at 7:55 p.m.

Carol Venable  
Acting Secretary